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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/653,355	08/28/2003	Mitsuyoshi Tanimoto	04329.3124	3021

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EXAMINER

CHANG, YEAN HSI

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/653,355

Applicant(s)

TANIMOTO ET AL.

Examiner

Yean-Hsi Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-8 is/are allowed.
- 6) ☒ Claim(s) 9-12, 14, 15, 17, 18 and 23-25 is/are rejected.
- 7) ☒ Claim(s) 13, 16 and 19-22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/28/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 7 is objected to because of the following informalities: The "the operation position" lacks antecedent basis, and it may not be able to be moved as recited.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 9-12, 14-15, 17-18 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chien et al. (US 6,694,569 B2) in view of Su-Man (US 6,775,884 B2).

Chien teaches an electronic apparatus (fig. 9) comprising: a main unit (4), a display unit (5) distinct from the main unit, a hinge mechanism (6) having first and second shafts (64 and 621), the first shaft connecting the display unit to the main unit (see col. 2. lines 48-61) such that the display unit is rotatable between a closed position (not shown) where the display unit overlies the main unit, and an open position (fig. 9)

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where the display unit is raised up from the main unit, and the second shaft extending in a direction perpendicular to the first shaft (shown in fig. 3) and connecting the display unit to the main unit so as to be rotatable in a circumferential direction of the second shaft (shown in fig. 8), a braking mechanism (between 641 and 642) which is mounted in the main unit, and an engagement member (651) which is mounted in the display unit and movable between an engagement position (shown in fig. 5) where it is engaged with the display unit and an engagement release position (shown in fig. 6) where it is removed from the display unit and which receives the braking force of the braking mechanism (claims 9, 18 and 23); wherein the braking mechanism has a pair of brake shafts (63 and 64) to which the braking force is applied, the brake shafts and the hinge mechanism are aligned in a width direction of the main unit (shown in fig. 5), and the hinge mechanism is located between the brake shafts (see fig. 5) (claim 10); wherein the braking mechanism has a brake shaft (642) to which the braking force is applied, and the engaging member is supported by the brake shaft (651 being supported by 642 via 611) (claim 11); wherein the display unit has a recess (53) with which the engaging member is engaged, when the engagement is in the engagement position, and the display unit is coupled with the brake shaft by engagement of the engaging member with the recess (shown in fig. 5) (claims 12 and 24); wherein the engaging member is always urged toward the engaging position by a spring (68, see col. 3, lines 45-49) (claim 14); an operation member (661), which is mounted in the main unit and movable between a first operation position to move the engaging member to the engagement position (fig. 5) and a second operation position to move the engaging member to the

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engagement release position (fig. 6) (claims 15 and 25); and a cooperation mechanism (6612 and 662), which transmits movement of the operation member to the engaging member (claim 17).

Chien fails to indicate the detail structure of the braking mechanism.

Su-Man teaches a hinge device (10, fig. 3) for an electronic device (see col. 4, lines 23-24), comprising a braking mechanism (20 and 40) between hinge body (10) and rotatable portion (30, see col. 4, lines 23-67).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Chien with the braking mechanism taught by Su-Man for holding the display at a position between a closed and opened positions, since the hinge device of both Chien and Su-Man are used for a display of a electronic device.

Allowable Subject Matter

4. Claims 1-8 are allowed.
5. Claims 13, 16 and 19-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. The following is a statement of reasons for the indication of allowable subject matter: The best prior art of record, Chien et al. (US 6,694,569 B2), Su-Man (US 6,775,884 B2), and Kitamura (US 5,219,240), taken alone or in combination, fails to

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teach or fairly suggest an electronic apparatus comprising a braking mechanism mounted in a main unit of the electronic apparatus, and generating braking force that limits rotation of a display unit of the apparatus between a closed position and an open position, and an engagement member mounted in the display unit and movable between an engagement position where it is engaged with the braking mechanism and an engagement release position where it is removed from the braking mechanism as set forth in claim 1; wherein a first shaft of a hinge mechanism, a brake shaft of the braking mechanism and the engaging member are arranged coaxially with one another as set forth in claim 13; a lock member, which secures an operation member mounted in the main unit, in a second operation position when the operation member is moved to the second operation position to move the engagement member at the engagement release position as set forth in claims 16 and 21; and a rotary body of the braking mechanism, having a recess with which the engagement member is removably engaged as set forth in claim 19. Claims 2-8, 20, and 22 are dependent claims from claims 1, 19, and 21, respectively.

Correspondence

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 07:30 - 16:00, Monday - Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang
Primary Examiner
Art Unit: 2835
May 31, 2005



YEAN-HSI CHANG
PRIMARY EXAMINER